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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/631,296   | 07/31/2003  | Karl Gerdorn         | RPINZ H1799         | 2629             |
| 27667  | 7590        | 09/09/2004           | EXAMINER            |                  |
| HAYES, SOLOWAY P.C.<br>130 W. CUSHING STREET<br>TUCSON, AZ 85701 |             |                      | WONG, ERIC K        |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2883                |                  |

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                               |  |
|------------------------------|-------------------------------|-------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/631,296 | Applicant(s)<br>GERDOM ET AL. |  |
|                              | Examiner<br>Eric Wong         | Art Unit<br>2883              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to <sup>amendment</sup> communication(s) filed on 14 June 2004.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12 and 17-23 is/are rejected.
- 7) ☒ Claim(s) 10, 11 and 13-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1 and 2 have been fully considered but they are not persuasive. Applicant argues that the prior art made of record fails to disclose a plug section formed by the end of a conductor foil and a spacer serving as a stop. Examiner respectfully disagrees. Kim et al. discloses a conductor foil in figure 2 and although element 250 is a lens alignment element, it still stops movement of a complimentary plug. Receptacle 260 also may stop movement of a complimentary plug and as such serves its purpose as a stop. When all the components are assembled, foil element 230 of Kim et al. serves as an end portion with stops 250 and 260.
2. Applicant's arguments with respect to claim 3 in regards to a sealing frame have been fully considered and are not persuasive. Examiner respectfully notes that the claim in its broadest sense places the spacer in any region of the opto-electronic component.
3. Applicant's arguments with respect to claim 19 have been fully considered but they are not persuasive. Applicant's argue that Kim et al. only mentions that the optical module can either be that of a transmitter, receiver or transceiver. Examiner respectfully notes that the limitations of claim 19 only require that additional "control elements" are provided and that operating parameters can be adjusted. Kim et al. states in column 4, lines 26 to 43 that additional control eleemtns may be used. Since signals are being converted, said operating parameters are being adjusted.
4. Applicant's arguments with respect to claim 23 have been fully considered but they are not persuasive. Kim et al. discloses a plug section that is displaceable. The foil section may not

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be displaceable, but the limitations of claim 23 only require that the entire plug section be displaceable.

5. Applicant's arguments with respect to claims 10 and 11 have been fully considered and are persuasive. The rejection of claims 10 and 11 has been withdrawn. The leadframe of Kim et al. does not act as a heatsink. Claim 11 depends upon claim 10 and therefore the rejection has been withdrawn on the basis of its dependency.

6. Applicant's arguments with respect to claims 13-16 have been fully considered and are persuasive. The rejection of claims 13-16 has been withdrawn. Kim et al. discloses bond pads and wires, but fails to explicitly disclose that the bond pads of the opto-electronic component are located above the levels of the bond pads of the driver/amplifier chip. The rejections of claims 14-16 have been withdrawn by virtue of their dependency.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-9, 12 and 17-23 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent Number 6,492,698 to Kim et al.

Kim et al. discloses in abstract and figure 2 a transceiver comprising a conductor foil (230) carrying an opto-electronic component, a plug socket into which an optical waveguide connector can be inserted (270) such that an optical waveguide of said optical waveguide

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connector is opposite said opto-electronic component, and a plug section which is formed by an end section of said conductor foil and adapted to be connected with a complementary plug, wherein a signal path from said plug section to said opto-electronic component has a matched impedance (column 8, line 33).

As to claims 2-4, a spacer and stop is provided on the foil for the optical waveguide connector (250, 260).

As to claims 5-6, Kim et al. discloses that any type of adhesive or glue may be used for the stiffener plates.

As to claims 7-9 and 18, a hole is provided for guide pins and is all arranged with a heatsink.

As to claim 12, drivers are bonded to the foil.

As to claim 17, the component is arranged at a right angle (Figure 7).

As to claim 19, the control elements are provided by means of which operating parameter of said transceiver can be adjusted (Column 4, lines 26-43).

As to claims 20-23, Kim et al. discloses in figure 7, a conductor foil with a signal path only on one side of a rigid structure in a plug section that is mounted as to be displaceable.

***Allowable Subject Matter***

7. Claims 10-11 and 13-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art made of record fails to explicitly disclose or reasonably suggest an opto-electronic component mounted on a leadframe and acting as a heat sink or that the level of bond pads of said opto-electronic component is located above a level of

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bond pads of a driver/amplifier chip. Claims 11 and 14-16 are allowable by virtue of their dependency.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Wong whose telephone number is 571-272-2363. The examiner can normally be reached on Monday through Friday, 830AM - 430PM.

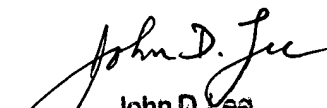
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



EW



John D. Lee  
Primary Examiner